AMENDED

APPLICATION FOR PERMIT Serial No. 12451

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office MAY 19 1948
Returned to applicant for correction AUG 10 1948
Corrected application filed AUG 17 1948

The undersigned James M. Daniels (Name of applicant)

of Gold Point, County of Esmeralda,

State of Nevada c/o Kearney & Adams, P.O. Box 295, Reno, Nevada, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Valcalda Spring (Name of stream, lake, or other source)

2. The amount of water applied for is one-fourth (1/4) second-feet. (One second-foot equals 40 miners' inches)

3. The water to be used for stock and domestic (Irrigation, power, mining, manufacturing, domestic, or other use)

4. The water is to be diverted from its source at the following point:

NE¼ of NE¼ of Sec 17, T 2 S, R 38 E, MDB&M

(Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.)

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is none

(b) Description of land to be irrigated none (Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.)

(c) Use will begin about _____ (Month) and end about _____ (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is _____ horsepower.

(e) Place of use ~~NE¼ of NE¼ of Section 17, T 2 S, R 38 E, MDB&M~~ (Give location of place of use by legal subdivision)

(f) Point of return of water to stream _____ (Describe in same manner as point of diversion)

(g) State number and kinds of animals to be watered from 50 to 250 ~~depending on surrounding range feed.~~

(h) Use will begin about ~~Jan 1st~~ (Month) and end about Dec. 31 (Month), of each year.

(i) Remarks ~~This water has already been appropriated and beneficially~~ used by applicant under permit 7204 which was apparently cancelled of record without applicant's knowledge. All the work had been completed and the water has been in continuous use to date. This filing is not intended to waive existing rights.

DESCRIPTION OF PROPOSED WORKS

Pipe and stock watering troughs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works Already cost over $200.00 to complete

6. Estimated time required to construct works Already constructed

7. Remarks Applicant reserves all vested and permit rights heretofore acquired. Request is made to send all duplicate notices to applicants attorneys.

For use of applicant

James M. Daniels, Applicant.

By Kearney & Adams
His Attorneys

Compared HE - AT

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the number of stock watered daily, which number must be stated in the proof of beneficial use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0077 cubic feet per second, or sufficient to water 250 head of cattle.

Actual construction work shall begin on or before August 24, 1954

Proof of commencement of work shall be filed before September 24, 1954

Work must be prosecuted with reasonable diligence and be completed on or before August 24, 1955

Proof of completion of work shall be filed before September 24, 1955

Application of water to beneficial use shall be made on or before August 24, 1956. Proof of the application of water to beneficial use must be filed with State Engineer on or before September 24, 1956

WITNESS MY HAND AND SEAL this 24th day of February, 1954

HUGH A. SHAMBERGER
State Engineer.

By Edmund Muth
EDMUND MUTH-Assistant State Engineer

Map Filed JUL 3 1948

Proof of commencement of work filed JUN 2 1954

Proof of Completion of work filed JUN 2 1954

PROOF OF BENEFICIAL USE FILED AUG 16 1954

Certificate No. 4193 Issued FEB 7 1955 for 0.0077 cfs

Recorded 2/16/55 Bk. 5-B Page 172

Esmeralda County Records

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